

April 6, 2006



The Honorable Charles L. A. Terreni Chief Clerk & Administrator Public Service Commission of South Carolina ATTN: Docketing Department 101 Executive Center Drive Columbia, South Carolina 29210

Re: Electric Service Agreement – Grant Clarendon Inc.

SCPSC Docket No. 2006-108 -E

Dear Mr. Terreni:

In accordance with <u>S.C. Code Ann.</u> Regs. 103-303 and 103-804(Y)(2), Carolina Power & Light Company, d/b/a Progress Energy Carolinas, Inc. ("Company" or "Progress") files herewith for approval an Application for the Supply of Electricity between Company and a new customer, Grant Clarendon Inc. ("Grant"). This Service Agreement governs electric service to Grant's plant in Clarendon County, South Carolina. Grant is a wood products manufacturing facility making engineered wood panel products.

Because of the commercial sensitivity and proprietary nature of certain provisions of this Service Agreement as well as the highly competitive nature of the industry in which Grant operates, the Company and Grant respectfully request that this Service Agreement be received in its original form under seal for Commission review. An affidavit executed by Mr. Scott Pearson, Vice President Grant Clarendon, Inc., is attached in support of this request for confidential treatment.

## I therefore enclose the following:

(1) In accordance with Order No. 2005-226 of Docket No. 2005-83-A, Progress is providing a true and correct copy of the original Service Agreement in a sealed envelope marked "CONFIDENTIAL." Each page of the Service Agreement is also marked "CONFIDENTIAL." We request that the Commission treat the Service Agreement and all copies thereof as confidential and proprietary, and are providing the Service Agreement with the expectation that it is exempt from disclosure to any third parties, including but not limited to exemption from disclosure under the Freedom of Information Act, S.C. Code Ann. §§30-4-10 et seq., or any other provision of law. See, e.g., S.C. Code Ann. Regs. 103-303, -804(Y). We would further request that in the event that anyone should seek disclosure of this unredacted Service Agreement, the Commission give Progress notice of such request and provide it with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Service Agreement from disclosure. We trust that the Commission would support our efforts to

Raleigh, NC 27602

protect the Service Agreement from disclosure. Grant supports the Company's request for confidential protection.

- (2) In accordance with Order No. 2005-226, I am also providing a redacted copy of the Service Agreement for filing. This redacted copy can be maintained in the Commission's publicly available files and may be disclosed upon request pursuant to the Commission's general procedures under <u>S.C. Code Ann.</u> Regs. 103-804(Y) and the Freedom of Information Act.
- (3) By copy of this letter, we are providing the Office of Regulatory Staff ("ORS") with a redacted copy of the Service Agreement for its records. Additionally, Progress will make the original, unredacted copy of the Service Agreement available for ORS's inspection subject to the provisions of S.C. Code Ann. §58-4-55(C). Pursuant to this section, the Service Agreement is exempt from disclosure under the Freedom of Information Act. Further, the ORS is precluded from disclosing the information obtained from its review to any other person or entity.

The Company further requests that the unredacted (sealed) Service Agreement be returned to the Company subsequent to the Commission's consideration. While we prefer that the Commission not make any copies of the unredacted Service Agreement, we further request that should any copies of the unredacted Service Agreement be made, the Commission provide certification either that all such copies have been destroyed or that all copies have been returned to Progress.

Additionally, the Company respectfully requests that the matter be placed upon the agenda for the Commission's consideration at its next scheduled meeting. We anticipate that ORS will provide the Commission with comments prior to that meeting. If you have any questions regarding this Service Agreement, please do not hesitate to call me at your convenience. Thank you for your kind attention to this matter.

With kind regards,

Len S. Anthony

Deputy General Counsel – Regulatory Affairs

LSA

Attachments

cc: Mr. Dan F. Arnett, ORS

Mr. A. Randy Watts, ORS

## STATE OF SOUTH CAROLINA COUNTY OF CLARENDON

AFFIDAV	/IT OF Scott Pearson	
The under	rsigned, Scott Pearson	, first being duly
sworn, der	poses and says: That I am Vice President for Grant Clarendon Inc. ("Gra	nt Clarendon"),
2.	That I have reviewed the Electric Service Agreement da	ted February 13, 2006
	by and between Grant Clarendon and Progress Energy Ca	arolinas, Inc. ("PEC")
	that was filed with the Public Service Commission of So	uth Carolina ("the
	Commission").	
3.	That this Service Agreement contains proprietary, confid	dential information
	regarding Grant Clarendon's energy costs that would have	m Grant Clarendon's
competitive position in the wood products industry if publicly dis		
4.	4. That Grant Clarendon supports PEC's request that the unredacted copy of the	
	Service Agreement filed with the Commission be treated	d as confidential.
Th	his the $4^{th}$ day of April, 2006.	
	Scott Pearson	
Sworn to	and subscribed before me,	
This the 4	Hth day of April 2006.	
Notary Pu	ablic	
My comm	nission expires: M/A	
224008		